

CANYONS OF THE ANCIENTS NATIONAL MONUMENT
Advisory Committee Meeting Minutes
June 28th, 2005

Advisory Committee Attendees:

Kelly Wilson Chuck McAfee

Chris Majors Bud Poe

Liz Tozer Mark Varien

BLM Attendees:

LouAnn Jacobson, Monument Manager

Steve Kandell, Monument Land Use Planner

Linda Farnsworth, Monument Archaeologist

Public Attendees:

Gabi Morey, Amber Clark, Cliff Bankston, Steve Grazier, Gene Peck, Ann Brauer

Agenda

9:00am - 9:10am	Greetings and Introductions
9:10am – 10:00am	Planning and Monument Manager Update
10:00am - 10:30am	Discuss “Reasonable, Foreseeable Development: Oil, Natural Gas and Carbon Dioxide in Canyons of the Ancients National Monument” document
10:30am - 10:45pm	Public Comment
10:45am - 11:30pm	Tour of the Collections at the Anasazi Heritage Center
11:30pm - 12:00pm	Approval of Minutes from the January 11 th Meeting and Next Agenda

Note, the remainder of these minutes describes the discussion associated with each agenda topic.

Greetings and Introductions

Kelly Wilson welcomed all participants. He addressed the Committee and stated that we did not have a quorum (i.e., at least seven members present). Kelly asked everyone (i.e., Committee members and the public) to introduce themselves. Kelly asked the Committee if they had any

edits to the January 11, 2005 meeting minutes. No edits were suggested. The Committee approved the January 11, 2005 meeting minutes.

Planning and Monument Manager Update

Steve Kandell explained that due to the small (i.e., two people), full-time staff at the Monument that it was necessary to use a private planning contractor to complete the Monument Plan. The initial contractor (i.e., Jones & Stokes) was officially terminated in December 2004. This June, a new private contractor was brought on board to assist with completing the Monument Plan. This contractor is Ecology and Environment (E&E) and is located in Boulder, Colorado. E&E has a strong team supported by several local contractors who are knowledgeable about the Monument and issues affecting it. These subcontractors include Alpine Archaeological, Ecosphere Environmental Services and Dunmire Consulting.

Steve noted that the new contract with E&E addressed some additional planning issues, compared to the previous contract. Additional funds were put aside to complete air quality modeling and additional socio-economic analysis. An initial meeting with E&E is scheduled for July 5, 2005. At this meeting project management issues (e.g., schedule) will be addressed, and the contractor will be provided a brief tour of the Monument.

Steve then followed-up on a letter sent from the Committee to BLM Colorado State Director, Ron Wenker. This letter requested that the “BLM modify its current national reburial policy to allow for the reburial of human remains and associated funerary objects, inadvertently discovered, on public lands.” LouAnn Jacobson noted that the State Director is willing to request an exemption to the current reburial policy for the Monument and Anasazi Heritage Center (AHC), but not for the entire agency. LouAnn further stated that once the AHC completes its ongoing Native American Graves and Repatriation Act (NAGPRA) consultation, a formal request can be made to exempt the Monument and AHC from the existing BLM reburial policy.

Next, Steve referred the Committee to their final Vision Statement and Overall Objective. He stated that the Committee did a good job in crafting these statements, and that he hoped to incorporate them, as written, into the Plan. Steve then referred to the preliminary planning schedule. This schedule identifies several of the tasks that must be completed during the planning process; however, it currently doesn’t include dates. Steve noted that at the initial meeting with the contractor on July 5, 2005, estimated dates for completing these tasks would be developed.

Steve provided an overview of the Monument’s April 21, 2005 field trip to Yellow Jacket Creek. Committee members were invited to attend this field trip, but none were available. Attendees on the field trip included individuals from the Monument (i.e., LouAnn Jacobson, Steve Kandell), the Colorado Conservation Board, Southwest Colorado Water Conservation District, Colorado Division of Water Resources, Colorado Water Conservation Board, Montezuma Valley Irrigation Company and the Dolores Water Conservancy District. The intent of the meeting was to discuss overall management of Yellow Jacket Creek and its riparian area, and to discuss BLM’s recommendation to the Colorado Water Conservation Board for an instream water right. The purpose of this instream water right is to provide reliable flows to improve riparian conditions

and support BLM sensitive fish species (i.e., flannelmouth sucker, bluehead sucker). Steve noted that the Colorado Water Conservation Board has a legal requirement to consider BLM's application for a water right, but is under no obligation to approve it. Steve also noted that to date, the recommended water right is 4.0 cubic feet per second (cfs) in the summer and 2.5 cfs in the winter.

Chris Majors asked how this recommended water right would affect other existing users during a time of drought. LouAnn stated that this water right, if granted, would be junior to all existing senior water rights. Mark Varien asked what the process is for the Colorado Water Conservation Board to consider this application. Steve responded that he couldn't adequately explain the process, but would provide this information at the next Committee meeting. Chris Majors also requested to get a copy of BLM's pending water right application. Mark concluded by stating that the Monument should do everything possible to effectively communicate with the public on this issue, due to the sensitivity of water issues.

LouAnn updated the Committee on her efforts to determine if all members still intend to serve on the Committee, or if they need to resign. She said that in response to her February 3, 2005 letter, all Committee members indicated that they wanted to continue serving except for Tito Naranjo. In total then, two Committee positions are currently vacant (i.e., Native American representative, Dolores County Commission representative). LouAnn also noted that Selwyn Whiteskunk did not respond to her February 3, 2005 letter. As a result, she is not certain if Selwyn intends to continue serving on the Committee; however, she will contact Selwyn shortly to resolve this issue. LouAnn concluded by stating that the Monument is working toward publishing a Federal Register Notice to advertise for nominations for the vacant Committee positions. This is the first step in filling the positions.

Chris Majors suggested amending the Committee Bylaws. He suggested that if a Committee member does not attend three consecutive meetings their membership should be automatically terminated. Chris made a motion to vote on this recommendation at the next Committee meeting. Chuck McAfee seconded the motion.

LouAnn continued by stating that the AHC is temporarily closed, due to the roof being replaced. She stated that it should re-open to the public, on a limited basis, by July 1, 2005. LouAnn also stated that the National Trust for Historic Preservation identified the National Landscape Conservation System (NLCS), which includes the Monument, as one of their 11 most endangered places this year. The primary reason for this listing was the lack of funding and off-highway vehicle use issues. Mark Varien complimented Amber Clark in working with the press to focus their articles' attention on the Monument's specific needs.

LouAnn concluded by stating that the contractor termination process was long and arduous, but well worth it. She noted that this process delayed the completion of the Plan by about a year to a year and a half. Kelly Wilson asked what the delay in the planning schedule does to the Committee charter. LouAnn responded that the charter doesn't come up for renewal again until 2007.

Discuss “Reasonable, Foreseeable Development: Oil, Natural Gas and Carbon Dioxide in Canyons of the Ancients National Monument” document

Steve Kandell referred everyone to the executive summary handout of the “Reasonable, Foreseeable Development: Oil, Natural Gas and Carbon Dioxide in Canyons of the Ancients National Monument” document. Steve noted that the purpose of the Reasonable Foreseeable Development (RFD) document is threefold. First, it provides long-term (i.e., 20 year) projections of oil and gas exploration, development, production and reclamation in the Monument. Secondly, the RFD provides information necessary for the identification and assessment of alternatives in the Environmental Impact Statement portion of the Plan; and third, the RFD provides technical information for analyzing the cumulative impacts of oil and gas activities. The projections in the RFD are based on the best information available to BLM. This includes geologic data, past oil and gas development data, and input from existing oil and gas operators concerning their future plans for development on the Monument.

Steve then reviewed the RFD’s executive summary. Some highlights include 81 percent (i.e., 143,244 acres) of the Monument is already leased for oil and gas development. This leaves only 19 percent (i.e., 34, 221 acres) of the mineral estate in the Monument unleased. Since the 1940s, 185 wells have been drilled in the Monument. Last, over the next 20 years, another 150 wells off of 121 wellpads are forecasted to be drilled in the Monument. Sixty-nine of the proposed new wells will be carbon dioxide, requiring only 40 new wellpads. The remaining 81 wells will be oil and natural gas wells drilled from 81 new wellpads.

Steve also noted that the majority of leases on the Monument are located within units. Units are established when geologic conditions don’t allow for traditional drilling. Units provide the flexibility to explore, develop and manage a reservoir based on geology instead of strict, administrative guidance. Also, as long as one lease is producing in a unit all the other leases are held by production. There are a total of eight existing units in the Monument. All of these units have an estimated life of approximately ten years, except for the McElmo Dome Unit. This is the largest unit in the Monument, and is estimated to produce carbon dioxide for another 50 years.

Mark Varien questioned if Kinder Morgan is going to drill on public land very much in the future. It was his understanding that they were planning to drill more on private land to avoid permitting costs and schedule delays. LouAnn noted that if the minerals they are drilling for are owned by the federal government (i.e., split estate) that they would still be required to go through the permitting process. Mark also stated that the current version of the Energy Bill may affect the National Historic Preservation Act’s (NHPA) Section 106 permitting process. It was his understanding that the current bill may reduce the protection of cultural resources during the development of oil and gas resources. Mark said that it would be nice if the Committee could be provided with an update on the impact of the pending Energy Bill on cultural resource protection. Mark also stated that it would be ideal to discuss issues surrounding the RFD at the next meeting, so Bob Clayton could provide input.

Mark asked how large the new facilities would be that are identified in the RFD. Steve noted that the RFD estimates that eight new production and compression facilities will be built within the Monument to treat, store, and transport the produced oil, natural gas and carbon dioxide.

Kelly Wilson noted that the estimated gross surface disturbance in the RFD (i.e., 883 acres) is a relatively small area of the Monument. Bud Poe questioned if any new pipelines are anticipated. Steve responded that the RFD estimates 53 miles of new pipeline right-of-way.

Kelly Wilson opened the meeting to public comment.

Public Comment

Amber Clark requested a complete copy of the RFD document. Steve noted that he would send a .pdf version of the entire RFD to Amber and all of the Committee members. Amber stated that it is likely that once she reviews the RFD she will have additional questions concerning the data used and estimates made. Steve stated that the Monument would be willing to meet with the San Juan Citizen's Alliance to answer any and all questions.

Phil Weiser asked LouAnn if any member of the Monument Advisory Committee had served as a board member on the Grand Canyon Trust. LouAnn responded that she did not think so. Phil then asked why in the grant application, seeking funding for the Friends of Canyons of the Ancients National Monument, it stated that there was 'no opposition.' LouAnn responded that at the time the proposal was submitted she was not aware of any opposition to this particular funding request. Mark Varien asked if Phil was referring to opposition to the friends group or to the Monument overall? Phil Weiser did not respond to this question.

Gene Peck of the Southwest Intertribal Voice organization introduced himself. He explained that his organization's mission is to educate communities about Native American culture and to promote cultural awareness. Gene stated that his organization was available to partner with the Monument and/or AHC in furthering these values.

Kelly Wilson asked if there were any additional comments from the public. No additional public comments were provided.

Tour of the Collections at the Anasazi Heritage Center

The Committee decided not to take a tour of the collections at the AHC, but requested that the tour be offered at the next meeting.

Approval of Minutes from the January 11th Meeting and Next Agenda

The Committee agreed to elect new officers at the next meeting. Steve suggested waiting until the planning schedule is completed to determine when the next meeting should be held. Mark Varien suggested a meeting date be set to discuss outstanding Committee business (e.g., RFD issues, elect officers, vote on motion made by Chris Majors). The Committee agreed to have a half day meeting on September 6, 2005, at the AHC. Chris Majors also requested 15 minutes at the next meeting to provide a presentation on range conditions in the Cross Canyon Allotment.

Kelly Wilson asked the Committee if they had any other items to discuss. The Committee responded no.

Meeting was adjourned